

Serial No. 09/910,963  
Page 9 of 12

REMARKS

Applicant cancels claim 7. Claim 1 had previously been canceled. Claims 2-6 and 8-15 remain pending in the application. Applicant amends claims 2-3, 5-6, and 12-15 for clarification, and amends claims 8-11 to depend from claim 3. No new matter has been added.

Applicant respectfully requests that the Examiner indicate acceptance of the drawings.

Claims 2-6 and 8-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0032335 to Jones. Applicant amends claims 2-3, 5-6, and 12-15 in a good faith effort to further clarify the claimed invention, and respectfully traverse the rejection.

Jones was not filed until March 5, 2001, whereas the acknowledged priority date for this application is November 11, 2000. With reference to M.P.E.P. 2136.03 (III), Applicant respectfully requests that the Examiner provide 35 U.S.C. § 112, ¶ 1 support for the disclosure relied upon in the claim rejection from the March 3, 2000 provisional application of Jones.

Jones, as cited and relied upon by the Examiner, describe a technique for providing real-time communications between a first device 21b attached to a first user 21a and a second device 22b via a network 24. In particular, the cited portions of Jones describe a user, say at the first device 21b, who wishes to send a picture to a recipient, say at the second device 22b, communicates with a picture communications network subsystem 26, which, in turn, alerts the second device 22b that the user at the first device 21b wishes to send a picture. Such portions of Jones also describe other manners of communication between users, such as a "telephone-like" service or allowing annotations to an image "using a keypad or a tablet," etc. after the picture (or image) is sent to the recipient. Therefore, the cited reference, as applied, merely describes establishing communications between users via a network subsystem to send an image and

84115682\_1

Serial No. 09/910,963

Page 10 of 12

thereafter provide other forms of communication for, say, collaborating on revising the sent image. And the reference does not disclose the claimed feature of a hand-held terminal negotiating with a server and reserving a part of the function of a multimedia communication apparatus under the control of the server, and displaying the available kinds of communication associated with the reserved function.

In other words, Jones, as cited and relied upon by the Examiner, fails to disclose

"[a] hand-held terminal capable of making a plurality of kinds of communication, comprising:

a means for negotiating with a server and reserving a part of function of a multimedia communication apparatus for a certain kind of communication, the multimedia communication apparatus being equipped in and controlled by the server; and

a means for displaying available kinds of the communication for which the hand-held terminal reserved the part of function from the multimedia communication apparatus," as recited in claim 2. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 2, together with claims 4-6 dependent therefrom, is patentable over Jones for at least the above-stated reasons.

Correspondingly, Jones, as cited and relied upon by the Examiner, does not disclose the claimed feature of negotiating with a communication partner, conducting a kind of communication through a reserved part of the function of a multimedia communication partner, and displaying the available kinds of communication that are notified from the communication partner. In other words, the reference fails to disclose,

"[a] hand-held terminal capable of making a plurality of kinds of communication, comprising:

a means for negotiating with a server and reserving a part of function of a multimedia communication apparatus for a certain kind of communication, the multimedia communication apparatus being equipped in and controlled by the server;

a means for negotiating with a communication partner and conducting the kind of communication with the communication

84115682\_1

Serial No. 09/910,963  
Page 11 of 12

partner through the reserved part of the function of the multimedia communication apparatus; and

a means for displaying available kinds of the communication notified from the communication partner," as recited in claim 3. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 3, together with claims 8-11 dependent therefrom, is patentable over Jones for at least the above-stated reasons.

Claims 12-16 include features that correspond to those of claims 2 and 3 cited above, and are, therefore, patentable over Jones for at least the same reasons.

The above statements on the disclosures in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicant appreciates the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

84115682\_1

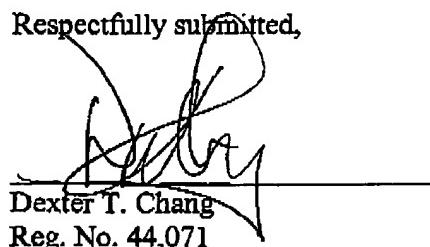
Serial No. 09/910,963

Page 12 of 12

Any fee due with this paper, not fully covered by an enclosed check, may be charged on

Deposit Account 50-1290.

Respectfully submitted,

  
Dexter T. Chang  
Reg. No. 44,071

CUSTOMER NO.: 026304  
Telephone No.: (212) 940-6384  
Fax No.: (212) 940-8986/87  
Docket No.: FUJ 18.626 (100794-00125)  
DTC:bf

84115682\_1